

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

JUAN MARTINEZ, JOSE PIMENTAL, CARLOS  
CONTRERAS, EFRAIN REYES and JOWANY  
CASTILLO,,  
  
Plaintiff(s),

-against-

FELIKS & SON STORAGE TANK CORP., FELIKS &  
SON SERVICES, LLC AND FELIKS SWIERZEWSKI,,  
  
Defendant(s).

**STIPULATION AND ORDER  
OF DISMISSAL**

Case No. 21-cv-  
03613(GRB)(JMW)

**FILED  
CLERK**

1:39 pm, Apr 25, 2024

**U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned counsel  
that, pursuant to **Federal Rule of Civil Procedure 41(a)(1)(ii)** that this action be dismissed with  
prejudice, subject to the terms of the Settlement Agreement between the parties.

Dated: October 27, 2023

Dated: October 27, 2023

MOSER LAW FIRM, PC  
*Attorneys for Plaintiff(s)*

/s/ Steven John Moser

Steven John Moser  
133 C New York Avenue  
Huntington, NY 11743  
Tel: 516-671-1150  
steven.moser@moserlawfirm.com

COFFEY MODICA LLP  
*Attorneys for Defendant(s)*

/s/ Vince Avery

Vince Avery  
111 Town Square Plaza, Suite 1203  
Jersey City, NJ 07310  
Tel: 856-246-5301  
[vavery@coffeymodica.com](mailto:vavery@coffeymodica.com)

**ORDER OF DISMISSAL**

Pursuant to the stipulation of the parties under **Federal Rule of Civil Procedure 41(a)(1)(ii)**, IT  
IS ORDERED THAT THIS ACTION BE, AND HEREBY IS, DISMISSED WITH PREJUDICE,  
subject to the terms of the Settlement Agreement between the parties, which is expressly  
incorporated by reference herein.

The Clerk is directed to close the file.

So Ordered:

/s/ Gary R. Brown

Dated: 4/25/2024

Gary R. Brown, U.S.D.J.